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A  
R E P L Y  
T O  
Mr. Alderman G I P P S  
A N D  
Mr. S L O D D E N ' s  
A N S W E R  
T O T H E  
C A N T E R B U R Y P A T R I O T .

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By T H O M A S R O C H .

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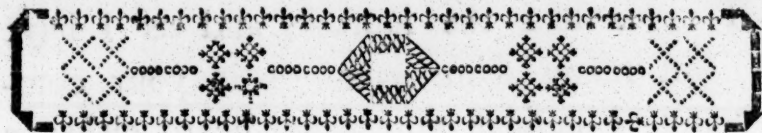
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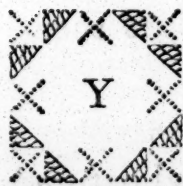




A

## R E P L Y, &amp;c.

S I R,



YOU declare in your Answer to the Canterbury Patriot, that you are satisfied in the rectitude of your conduct, in regard to the proceedings with which I have charged you. If you continue so, Sir, I believe I shall make it appear, that Nature has given you a most callous conscience; and that you have never applied one grain or scruple of reason to mollify it. Sure, no one can read your Answer, without looking on you as a mouse in a trap, gnawing at every wire to make it's escape. You accuse me

B

of

of scurrility, as Mr. Rye has accused me of the scurvy. I am fully confident, that I never had the scurvy; and as I have spent many score evenings in your company, I believe you never heard either a scurvy, or an angry expression drop from me: and, as I have kept as much evening company as most men, I appeal to all who have been my companions, whether they ever heard me attempt to take off any man's character, or, whether they know a man more distant from slander, or either public or private reflections. I have too much regard for my own quiet, to entertain such mean passions, being sensible, that every man who indulges them, must live a torment to himself.

I have ever held an honest, good natured man in such high esteem, that no garment could ever shade him from my respect; nor have I ever heard an expression that betrayed a weakness drop from such a character, that has not excited in me pain instead of mirth: but when private injury and public utility call forth my pen, and advertisements, which are the public trumpeters, proclaim a paper war; I am then

as

as sanguine in the measure of my stile and sentiment, as an engineer is in the proportion of his powder to the weight of the bomb which he intends to cast in an exact direction and distance, that it may fall and burst in thunder amidst his enemies.

There is not a man that has been mentioned in the Pamphlet, but what has been tenderly dealt by, except Mr. William F——; he, through the whole affair, has behaved with such prudence, as gives me concern, that the behaviour of his friends has obliged me to cut through him to get at them. But, O the dire effects of war! the foot are often trampled on by the horse in pursuit of the enemy.

I played with F——s; I was much to blame, for several of my friends often cautioned me against it. If Miss toys with Pufs, she may expect to be scratch'd. I played with F——s, and he scratched so confounded hard, that I set the law on his back to claw him off, by which means we might have parted even on both sides; but he finding the talons of the law too sharp for him, got a couple of cat's paws to  
scratch



scratch the law off, and who can blame him? When King George the First heard that one of the Rebel Lords had escaped from the Tower; he said, "The man did right, and he would have done the same had he been so circumstanced;" and as F——s found out such tools, he cannot be condemn'd for working them. I am sure I do not; for he did it with decency, and never attempted to carry abuse farther. But you, Sir, for want of matter to support your conduct, endeavour at maintaining your credit in this affair, by publishing to the world, that I met with the contempt of all my acquaintance. As I have many reputable friends, I believe, they would not deem it an addition to their honor, to be thought one of the party: and as you have been so nice in getting the permission of your own friends to publish their names, you might have made mine the same compliment, and not have used the word GENERAL; but this was the primitive method your whole party took, to establish the principles of your imposition, in spreading yourselves in every quarter, and crying, "That all the world condemn'd me." The very same method which was so successfully practised

practised by that usurper Richard the Third, who assembled the citizens of London, and endeavoured to influence them in favour of his usurpation; but finding that no honest man would favour his wicked intention, his own party made an uproar in the hall, threw up their caps, cried, " Long live " King Richard," and then proclaimed all over the kingdom, " That the citizens of " London declared in his favour."

Next, Sir, out of the abundance of your mercy, you say, " You had no other view " than to save me from ruin : " a very modest expression, truly. Pray, Sir, how came you so very sensible, as to know how much would ruin me? I am confident you could not discover it from any debts I owe; but you promised, at setting off, to shew the Rectitude of your Conduct. Indeed, I believe, I shall prove in the sequel, that your method of saving me from ruin, is like knocking a man down for fear he should fall. You say, Sir, that you were unacquainted with the affair till the 22d of May, at which time you saw Mr. F——s and Mr. Noble together, and was then let into the secret, and cautioned to keep it so;

so; that was the Saturday before the Wednesday evening which was appointed for the meeting, and till then, I did not imagine that any one would have been let into the secret; but Mr. F——s knowing that it was then to be made too public, wisely considered the advantage of a first impression, and how difficult it is to eradicate it: as many men have died martyrs to a religion that they have neither known or practised the principles of, from no other motive, than an early persuasion, that they must ever be stedfast in it; and he knowing the game must be played over again at the King's Head, set directly about making up his pack for that purpose, and did it, indeed, with much judgment; for by those he fix'd on, it appears, that he knew his cards as well as if he had MARK'D them: and, in faith, he played them so judiciously, that I must allow him, in his way, to be, what they call, *A devilish clever fellow*. You say, Sir, that I asked your advice when I invited you to the meeting. I believe, you are mistaken. You told me, that you had heard something about the affair, and desired me to relate it; but your advice, I believe, I never asked, on that or any other occasion:  
and



and I had been before so well informed, by my council, of the certainty of my cause, that I needed no farther advice ; nor had I any other view in inviting so many neighbours together, but to make them sensible that I was upon an honourable foundation. And you must remember, that there were two young men of fortune at the meeting, whom I addressed myself to, and told, that I invited them there on purpose, that the recital of such a transaction might give them a caution to be on their guard. You say, Sir, “ That you never told me, that “ you did imagine I thought myself *cheated*.” I declare to God you did ! and can prove, from others, that you said the same to them ; and, I am concern’d, that your denying of it, obliges me to contradict you in such a manner. You likewise say, Sir, “ that some “ severe things were said to me, besides “ what Mr. Teale said ;” to obviate which, I proposed playing a game of whist. I have mentioned in my Pamphlet what the triumvirate (Sir Thomas, the Marquis, and Tony) said against me ; but as no others in the company said a word that had the least appearance of disapprobation, I am astonished, that you should be so weak

as to publish such an assertion, when every one of them is an evidence against you. As to my proposing a game of whist, I do not remember it, nor can I find any one that does; nor do I recollect how such a proposition could be made: for after the triumvirate had finished the uproar they made—you, my attorney, and all your junto, departed to consult measures by yourselves; but you know, that the major part of the company (who are men of as high credit as any in our city) did not join with you: and though you have insinuated to support the rectitude of your proceedings, that they avoided playing with me, I have since that had the pleasure of spending several evenings with the most part of them. You, Sir, without the consent or approbation of these Gentlemen, have confidently asserted, that they all disapproved of my conduct. As I knew to the contrary, I have mentioned their names in the public paper, and called on you to get their authority for it; but you find there is not one of them that will lend his name in your vindication. Indeed, Alderman Gipps, you are gnawing the wires. You, Sir, endeavour to persuade, that it was the apprehension

hension of a prosecution from Mr. F——s that induced me to an arbitration: indeed, friend Gipps, it was nothing but your DECEIT that betrayed me into it. When I went to Council for opinion, he acquainted me with every material part of the Acts of Parliament, and that part which mentions the winner's prosecuting he explained to me, and gave me such reasons, as satisfied me, that they could not affect me: and, I think, you were very imprudent in mentioning the Act of Parliament, as it is an evidence against yourself, and may convince any one that you have sinned against conviction: and as a convincing proof that you have done so, and with no other view than to defend your own conduct, I here set forth such Parts of the Acts of Parliament as are in force against Gaming, that such as are oppressed may not be terrified from entering into that sanctuary, which was designed for their protection.



*Abstract of an Act of Parliament, made in the  
ninth Year of the Reign of Queen ANNE,  
for the better preventing of excessive and de-  
ceitful Gaming.*

“ **BE** it further enacted by the authority  
aforesaid, That from and after the  
first day of May, one thousand seven hun-  
dred and eleven, any person or persons  
whatsoever, who shall at any time or sit-  
ting, by playing at cards, dice, tables, or  
other game or games whatsoever, or by  
betting on the sides or hands of such as do  
play at any of the games aforesaid, lose to  
any one or more person or persons so play-  
ing or betting, in the whole, the sum or  
value of *Ten Pounds*, and shall pay or deli-  
ver the same, or any part thereof, the per-  
son or persons so losing, and paying or de-  
livering the same, shall be at liberty, within  
Three Months then next, to sue for and  
recover the money or goods so lost, and  
paid or delivered, or any part thereof, from  
the respective winner and winners thereof,  
with costs of suit, by action of debt foun-  
ded on this Act, to be prosecuted in any of  
her Majesty's Courts of Record, in which  
actions

actions or suits, no essoign, protection, wager of law, privilege of parliament, or more than one imparlance shall be allowed; in which actions it shall be sufficient for the plaintiff to alledge, that the defendant or defendants are indebted to the plaintiffs, or received to the plaintiffs use, the monies so lost and paid, or converted the goods won of the plaintiffs to the defendants use, whereby the plaintiffs action accrued to him according to the form of this statute, without setting forth the special <sup>a</sup> matter: And in case the person or persons who shall lose such money, or other thing, as aforesaid, shall not, within the time aforesaid, really and *bona fide*, and without covin or collusion, sue, and with effect prosecute, for the money or other thing so by him or them lost and paid or delivered, as aforesaid, It shall and may be lawful to and for any person or persons, by any such action or suit, as aforesaid, to sue for and recover the same, and Treble the value thereof, with costs of suits, against such winner or

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<sup>a</sup> Here the Act fully expresses, that no other person can sue, but on the loser's neglecting to do it.

winners, as aforesaid, the one moiety thereof to the use of the person or persons that will sue for the same, and the other moiety to the use of the poor of the parish where the offence shall be committed.

“ And for the better discovery of the monies, or other thing so won, and to be sued for and recovered, as aforesaid, It is hereby further enacted by the authority aforesaid, That all and every the person or persons, who by virtue of this present Act shall or may be liable to be sued for the same, shall be obliged and compellable to answer upon oath such bill or bills as shall be preferred against him or them, for discovering the sum and sums of money, or other thing so won at play, as aforesaid.

“ Provided always, and be it nevertheless enacted by the authority aforesaid, That upon the discovery and repayment of the <sup>a</sup> money, or other thing so to be discovered

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<sup>a</sup> Here the Act expresses, that the *Winner* cannot indite till he has paid the money.

and



and repaid, as aforesaid, the person or persons who shall so discover and repay the same, as aforesaid, shall be acquitted, indemnified and discharged from any further or other punishment, forfeiture or penalty, which he or they may have incurred by the playing for, or winning such money or other thing so discovered and repaid, as aforesaid; any former or other statute, law or usage, or any thing in this present Act contained to the contrary thereof, in any wise notwithstanding.

“ And be it further enacted by the authority aforesaid, That if any person or persons whatsoever, at any time or times, after the said first day of May, one thousand seven hundred and eleven, do or shall, by any fraud or shift, couzenage, circumvention, deceit, or unlawful device or ill practice whatsoever, in playing at or with cards, dice, or any the games aforesaid, or in or by bearing a share or part in the stakes, wagers or adventures, or in or by betting on the sides or hands of such as do or shall play, as aforesaid, win, obtain or acquire to him or themselves, or to any other or others, any sum or sums of money, or other valuable

valuable thing or things whatsoever, or shall at any one time or sitting, win of any one or more person or persons whatsoever, above the sum or value of 10l. that then every person or persons so winning by such ill practice, as aforesaid, or winning at any one time or sitting above the said sum or value of Ten Pounds, and being convicted of any of the said offences, upon an indictment or information to be exhibited against him or them for that purpose, shall forfeit Five Times the value of the sum or sums of money, or other thing so won, as aforesaid: and in case of such ill practice, as aforesaid, shall be deemed infamous, and suffer such corporal punishment, as in cases of wilful perjury; and such penalty to be recovered by such person or persons as shall sue for the same by such action, as aforesaid.

“ And whereas divers lewd and dissolute persons, live at great expences, having no visible estate, profession or calling to maintain themselves, but support those expences by Gaming only; Be it therefore further enacted by the authority aforesaid, That it shall

shall and may be lawful for any two or more of her Majesty's Justices of the peace, in any county, city or liberty whatsoever, to cause to come or to be brought before them, every such person or persons within their respective limits, whom they shall have just cause to suspect to have no visible estate, profession or calling to maintain themselves by, but do for the most part support themselves by Gaming; and if such person or persons shall not make it appear to such Justices, that the principal part of his, or their expences is not maintained by Gaming, that then such Justices shall require of him or them, sufficient securities for his or their good behaviour for the space of twelve months, and in default of his or their finding such securities, to commit him or them to the common goal, there to remain until he or they shall find such sureties, as aforesaid.

*An*



*Abstract of an Act of Parliament, made in the Reign of King GEORGE the Second, in the Year 1740; to explain, amend, and make more effectual the Laws in being, to prevent excessive and deceitful Gaming; and to restrain and prevent the excessive Increase of Horse Races.*

[ This Act, except what concerns Horse Races, chiefly consists of a Recital of the Act made in the Reign of Queen Anne, with no essential Difference, but extending the Time limited for Prosecution, from Three Months to Six, and making the penalty five times the sum lost; with the following clause :]

“ **P**ROvided nevertheless, That if any person so offending shall discover<sup>a</sup> any other person so offending, so that such person be thereupon convicted, the person so discovering shall be discharged and indemnified from all penalties, by reason of any such offence, if such person so discovering hath not been before convicted thereof, and shall be admitted as an evidence to prove the same.

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<sup>a</sup> Here it is enacted, That the person who first discovers shall be indemnified.

Provided

Provided always, and it is hereby declared, That nothing in this Act contained shall extend, or be construed to extend, to repeal or invalidate an Act made in the ninth year of the reign of her late Majesty Queen ANNE, intituled, *An Act for the better preventing excessive and deceitful Gaming.*

[No Indictment can be laid here on this Act, but at a General Session; therefore, there was but one day in the time limited for either Indictment: and if F——s had paid the money, and each of us had preferred Bills against the other, his must have fell to the ground, as I had commenced my prosecution against him, and had taken every measure that the law directed; but I never had the least intention to indict him, till I discovered that it was his intention to take such advantage, if I omitted it. If a Bill had been found against either us, it would have been of little consequence, as the cause must have been tried here, by a Judge of Assize; a precedent of which we have not had for above thirty years.]

Would any man, besides yourself (except the Attorney who assisted you) presume at a vindication, which instructs the Public to believe, that the law, which was wisely made by the King, Lords and Commons,

D

to

to prevent their fortunes from falling a sacrifice to Gamesters, was only laid as a snare, to betray them to ruin? Thus, Sir, in attempting to vindicate yourself, for betraying of me, you endeavour to bring the legislative power under the lowest contempt. Had any magistrate, in the reign of King Alfred, thus trampled on the laws of the land, by endeavouring to render them prejudicial to his subjects, I believe his friends would soon have said, *Lord have mercy on his soul*. Had I been weak enough to have entertained so mean an opinion of the law, it would have been happy for me, in regard to my constitution; if all I was possessed of had been destroyed by fire, or had any common accident in life, left me destitute and naked, I believe I could have bore it with as much fortitude as most men; but being so weak, as to put confidence in you, after so strongly suspecting both you and my Attorney; and then finding, that you had no other view, but of stripping me, to clear F——s of every imputation, and thereby cast an odium on me, which so amply compleated the machinations of those who employed you, that it seized me with such a complication of violent passions, as have so affected me,

that,



that, I fear, I shall never recover it; and nothing but the prospect of publishing the abuse I had received, could support my reason, and prevent me from some severe act of resentment on you: were I not conscious that the whole bent of your assiduity was to deceive me, I ought to be deemed one of the most impious wretches on earth, for figuring the transaction in the manner I have done; but you were a hop-buyer, drawn in by the Hop Junto, and they made a Hop-of-my-thumb of you. You own, that it was by the direction of F——s, that you put an end to the lawsuit, and gave up my just claim by law; and, that both you, and my blessed Attorney, thought it prudent, by the direction of Mr. F——s, to conceal it from me. Sure, you must deem yourselves absolute disposers of my property, and controulers of my actions; but conspirators are in general secret till their designs are executed. Next you say, “ You did not press me to an arbitration.” I have not said that you did; for, on your telling me, with so much seeming friendship, “ That the Recorder had declined it, and that you had consulted the friends on both sides, (which was only Slodden) and that they desired you to

“ take it entirely on yourself,” I answered,  
 “ That as you had given yourself so much  
 “ trouble about it, that I would rest it en-  
 “ tirely on you ;” but as to your telling  
 me any thing about his knowing the condi-  
 tions, or holding any conference on that  
 subject, till I declared myself satisfied, I  
 declare you are wrong. Just as you depar-  
 ted from my door, you dropp’d these words :  
 “ F——s knows the conditions, and is  
 “ very agreeable to them :” and as the con-  
 ditions were such as he had made for him-  
 self, I am confident, that you dropp’d those  
 words with an intent to allure me, by en-  
 deavouring to make me apprehend, that  
 though the conditions were severe, that you  
 had prevailed on him to consent ; and when  
 you were leading me to execution, the more  
 effectually to gild the pill, you stopt near  
 your own door, to tell me, what an honest  
 fellow my Attorney was. If I had argued  
 with you on that subject till I had been sa-  
 tisfied, I should hardly have asked you di-  
 rectly after, when we all met together, and  
 on my asking the question again, you con-  
 sequently would have answered, instead of  
 pressing me entirely to rely on you, That  
 you had already given me your reasons ;  
 but, Mr. Hammond, who was present,  
 knows

knows that there was nothing mentioned, that could in the least indicate any former conference on the subject. I press'd you to know the conditions, and you press'd me to give my word to rely on you: I did give my word, and you all knew, that if I gave my word in an affair of such consequence, that I would as soon give up my life as forfeit it. Shame on you, for betraying a man in whom you had so much confidence! You own, Sir, that on my objecting to be debarred from the privilege of the press, "That you left me at liberty." Most merciful Magistrate, I thank you! Sure, as you was then Mayor, you must have imagined yourself an Absolute Monarch; for I cannot find that his present Majesty claims a power to restrain his subjects from that privilege: and, indeed, I should have thought, that any other man had merited a good Kicking for advancing such a proposition; but you, good natured man, had no other view in it, but to prevent me from exposing myself. Pray, Sir, when you heard that I was going to publish, did you not move a friend of mine, to prevail on me to desist? And when you found that was ineffectual, you authorized a friend to

acquaint



acquaint me, " That you would urge the  
 " power of the Law against me, if you  
 " could lay hold of any thing." Did this  
 proceed from a tenderness to me, or a con-  
 scious guilt of your own actions? Indeed,  
 my Friend, you was, on this occasion, as  
 much afraid of the Truth of the Press, as  
 an Owl is of the light of the sun. Nay,  
 many of you have censured Alderman  
 Smith for printing of it. I can assure you,  
 that if he had not, Mr. Simmons said, he  
 would have done it; and if both had de-  
 clined it, I could, as formerly, have prin-  
 ted in London. If I knew that any man  
 was determined to drub me, I am sure, I  
 should much rather (to keep the trade in  
 town) that he would buy the cudgel of a  
 neighbour, than send to London for one.

You say, " You have never conversed  
 " with any one, who knew the whole af-  
 " fair, that did not think the decision in my  
 " favour." You appear very fond of  
 bringing numbers to support your opinion;  
 but, if you please to let me know a few of  
 their names, I will let them know what any  
 body thinks of them; but, undoubtedly,  
 they are Men of Honour. I must allow  
 my

my omission concerning the 128 guineas; but to quit scores with me, you have not mentioned one word about the hundred bags of hops, that F——s made you buy, just after you compleated his jobb.

“ My charge against Mr. F——s, you  
 “ say, rested on suspicion, and that I would  
 “ have done well, to have brought the  
 “ cards to the King’s Head Meeting, to  
 “ support my suspicion.” Indeed, Sir,  
 had he PRINTED them, I would not have  
 produced them, after they had been so  
 long in my own possession; if I had, no  
 doubt, but some Men of Honor would  
 have said, That I had marked them myself,  
 or have proved, that there was as much  
 difference between the Marks, and his  
 Nails, as there is between the track of the  
 wheel of a child’s go-cart and a cart wheel.  
 I made you all sensible of the evidence I  
 had; and that evidence was from a disin-  
 terested man, who heard the words from  
 his own mouth, and taken down by Mr.  
 Slodden, which any one may see in his hand  
 writing; and least any one should suspect,  
 that I was destitute of such evidence, it is  
 as follows:

“ Roch

" Roch observed to Francis, ' That it  
 " was very extraordinary in his winning  
 " Nine Games running, twice together.'  
 " Francis said, ' It was so.' Roch told  
 " Francis, ' He wondered he would con-  
 " tinue shuffling and cutting the cards in  
 " the manner he did, after he had men-  
 " tioned it to him so often, and shewed  
 " him where he had made the Marks with  
 " his Nails in the Cards.' Francis laugh-  
 " ed, and said, ' He had a right to do it,  
 " if he could prevent cutting an Honour."

Now, Sir, as you know I had this evi-  
 dence, I should be pleased to know, how  
 you related the story to those who, you  
 say, commended your decision? This evi-  
 dence you were fully acquainted with; yet,  
 you declare, " You did not think I was  
 " *cheated*; nor did you imagine, that I  
 " thought so myself." If so, it certainly  
 was a mere act of mercy in you, to give  
 F—s an hundred pounds of my money, to  
 save me from ruin; but, if you really ima-  
 gined, that I had not been cheated, (except  
 you looked on me as an outlaw) or fan-  
 cied, that you had an absolute command  
 over me and my property; How can you  
 be



be justified in depriving me of the benefit of the Law, and secretly transferring my property to another man. Most undoubtedly you did it, to shew the Rectitude of your Conduct, and to save me from ruin.

Next you make several reflections which no way concern the affair, and call on my acquaintance as evidence : but these, and several other pretty things, cannot be deemed scurrilous in an Alderman. You oblige the public with a number of things which, you say, Mr. F—s told you—It is a pity you did not acquaint me, before you authorized them with your own name.—You assert, that Mr. F——s made several motions to go home ; indeed, I remember none till towards dinner time, and then he gave me his reasons for it, and, on my proposing another meeting in the evening, he readily consented to it ; and on my saying that I should not like to meet either at a tavern or my own house, being Sunday, he appointed his ; and when I met him there, he told me he had been and bought two packs of cards at a Stationer's ; which I think was very wicked in the tradesman to sell the devil's books on the Sabbath-day.

E

But

But sure, neighbour Gipps. Mr. F—s would not have aimed at getting another voucher besides yourself, to have attempted to persuade the public that he started at the thought of playing on a Sunday : but *Will* was much in the right, in getting an Alderman to answer for scruples that he is too honest to claim himself ; and I dare say, if any friend was seriously to ask him, he would freely own, that, he had much rather win a guinea of a Sunday afternoon, than hear the best sermon in the city. It is evident, you knew that F—s did not regard its being known that he played on a Sunday, or you would not have mentioned it ; indeed, I do not think it much to my credit, therefore was willing to forget it in the narrative, as the day required no remark : but you, Sir, knowing that I only was ashamed of it, brought it in to support the Rectitude of your Conduct.—I have heard of a Popish Priest who, in a sermon to prepare his congregation for confession, told them, that there were many women in his parish who, when they came to confession, confessed more of their neighbours sins than they did of their own. Indeed, Sir, if you had not added *George*  
to

to your Sirname, I should have imagined that the answer had come from some good woman of this pious man's parish; otherwise, you would have confessed some of your own sins—in telling us, how frequently you have advanced on Sunday morning at cards; and, pray Sir, what great difference can there be in breakfasting with the devil and taking a hearty dinner with him? I imagine that, where I have played for one guinea, you have played for ten; and I apprehend, that for every hour that you have any pious book in your hand, that you have a pack of cards twenty. It appears to me, that you think playing cards on a Sunday is an ornament to the character of a Magistrate, or you would not have called upon me to challenge you to produce a worshipful precedent for it. Confessing of neighbours sins is a game that I never did like; but when I am called on to take up a hand, I believe I can play it as well as the best of you. But to soften matters a little, I never heard that whoring, drinking, fraud, deceit, theft, treason, or murder, received any additional weight by being executed on a Sunday: many remarkable battles have been fought on a

E 2

Sunday,



yet I never heard, that the General who played, and won the game, was ever censured for destroying ten thousand of his fellow creatures on the Lord's Day; but all this cannot justify me, or any man, in any immoral action. As to your part, Sir, you may do as you please, but from this moment I declare off: and, as I never made such an appointment before, I hope, the world be so favourable, as to think, that I would not then have done it, had I been in my sober senses. When we repent, we hope for forgiveness; and I here promise to be a good boy and do so no more; but I must acknowledge, that (tho' not the Reverend) it was *Doctor* F—s that brought me to repentance, and, if he had not tythed me confoundedly close, he has so effectually cured me, that I shall think him a most excellent Doctor.

Next, Sir, you say that we had no liquor till two o'clock; can it be supposed that two men would sit together eight hours without drinking? Tho' I am as abstemious as most men in the day, yet I always smoak and drink freely at cards; and must relieve Mr. F——s from the imputation  
of

of treating me so ungentlely ; for he soon produced a bottle of Port, and told me he had got a hog'shead in his cellar : indeed I wanted some Mountain in the morning, which he was troubled to get ; the servants being then in bed. Mr. F—s, you say, told you, that I had formerly played with him for eight guineas a game, and that I offered that night to play for ten. I can freely give my oath, that I do not remember that I ever did either : but as *he* told you so, you confess that such circumstances bore great weight with you in forming a judgment of the transaction. *O thou Ballance of Justice !* does not this prove by your own hand that you had given yourself entirely up to him, and that he could press what weight he pleased upon you, to make the ballance preponderate against me ? Sure, Mr. Gipps, circumstances like these, so distant from the cause, could not have bore weight with any disinterested man ; but as you did find them press upon your conscience, if you had no other view than to serve me, you ought to have given it an impartial appearance, by acquainting me with this private conversation between you, and asked me, whether I admitted it to be true :

true : but certainly, they carried no more weight, in regard to what you were to determine, than whether I had been born in England or Ireland.

Next you mention my expulsion from being a Proprietor of the Concert Room. Indeed, Sir, you have expressed it in a very delicate manner ; but as the Mayor of the City was one of the Members, it cannot be deemed a Robbery. You say, " That I acknowledge you spoke in my " behalf, and that you do not repent " that you went then, as it was solely to " support me." If the service you then did me gives you the highest transport of joy—*Sic transit gloria mundi*—it can last no longer than SATURDAY, JANUARY 22, 1774. I am confident you knew that I was ill used ; for as soon as you came into the room, I called you aside, and told you what the Speaker of the House, Mr. Tuck, had said ; and you reply'd, " That you " could not see the Proprietors had any " thing do with the dispute between Mr. " F——s and me : " and, on your joining company, finding that you advanced nothing on the subject, I told them what your  
senti-



sentiments were on the matter, and you stood by without contradicting of me, but never said a single word to second what I said, but went away directly. I am very punctual in acknowledging every just demand, but will not allow of a bill that contains more articles than I have received: and on reading your Answer, recollecting that I was provok'd, you did not second your own opinion. I went directly to Mr. Burnby, and asked him if he could recollect what you said at the meeting on that occasion; he answered, " Nothing that he " could recollect. At my request, he went and asked Mr. Pierce; his answer was the same. I then went to Mr. Denne, and he declared the same. There were but a few at the meeting, and these were all I enquired of; nor needed I such enquiry but to support my own knowledge. If you had said any thing on such a material occasion, it must have been remembered. You consequently would have said, That as you were Mayor of the City, and one of the Proprietors, that you would not suffer such an infamous act to be recorded in your Mayoralty. You would have asked that Worshipful P——y who proposed it, Whether

ther he was committing so **black** an act, to qualify himself for a Chief Magistrate? or, Whether he did it to promote Votes and Customers? You would have told that princely spirited Singing-man, and Tin-man, Mr. Lawrence Tuck, that if it were known, that a Demi-Quaverer of our Cathedral, should commit such a fact, for the sake of Half a Crown a Year, that it might promote the trade of singing, by having his name chaunted about in ballads through every street in the city; but nothing did you say on the subject, nor did you stay ten minutes at the meeting: and though it was many weeks after, before the jobb was compleated, you never gave yourself the least concern about it, except it was to promote it. Sure it must be a most unparalleled piece of abuse, to cast out a man, who never had the least discord with any of you: and most aggravating, to think it should be done to oblige friends and customers who were interested in the credit of Mr. F——s. There were scarce any of you, that even thought you did amiss, till the Public condemned you all, and then each was for slipping his neck out of the collar, by accusing the rest. There are a few

few young men amongst you, that I freely forgive, surmising, that they were inadvertently betrayed into it. If sixteen labouring men, united together in a benefit club, had cast one of their members out, and deprived him of his share of the joint stock and contract, in which they were equally bound together by consent and laws of their own making; and did it on a presumption, that the injured man could not redress himself against fifteen; I believe, that neither inadvertency or incapacity would plead an excuse against their being deemed a set of very bad men: What then must be thought of fifteen men in a higher station, and the present Worshipful at the head of them, who did such an act on one of their members, merely to oblige and glut the vengeance of a few men that were unjustly prejudiced against him? If fifteen Irishmen, of the first credit in Dublin, had served an Englishmen as you have done me, it would have been deemed a national prejudice, and the public would have resented it in such a manner, that their lives would scarcely wear out the stain; nor would any of them have been able to pass a street where they were known, but some one or other would point

F a finger



a finger at them, and cry, There goes one of the fifteen that abused the Englishman. Indeed, Mr. Gipps, I am fully confident, that every abuse I have received, gave you satisfaction; not, I believe, out of prejudice to me, but as it supported the credit of your Friend, and the Rectitude of your own conduct; otherwise you would not have pressed me in favor of Mr. F——s, till I told you it gave me pain to deny you, and never quitted me till you had gained your purpose in an affair which you ought not to have concerned yourself; and at the same time be quite regardless in an affair which more materially concerned my credit, and in which, you say, you knew I was injured; yet, though you were one of the members, you never attempted to prevent it. — From the moment you first injured me, I was so deeply struck, that for many months I was rendered incapable of justifying myself; and as I intended to complain to the Public, the most intimate of my friends scarce heard me mention it. During which time, every enquiry into the merits of the cause, was stopt by the Junta, in these words:

“ *Rock*

*“ Roch had nothing to alledge against  
 “ F-----s, and every body condemns him.”*

Any one who reads your Answer, may see, that the whole stress of your defence lies in persuading the public, that general opinion attended the Rectitude of your Conduct, and that I met with the contempt of all my acquaintance. This, Mr. Gipps, is a weighty addition to the injury you have done me, and plainly discovers, that you would at any rate sacrifice me, and even make me appear as an outcast from among the people, to support your credit.—’Squire Sullen told his wife, That he would freely give her leave to make a Whore of herself, if she could do it without making a Cuckold of him: and you (in any other affair) may support your own credit, as high as you please, if you can do it without sinking mine; but, if I by fair and honest truth can prevent it, no man shall make a cork jacket of my reputation to keep his own afloat. You urge, that out of the sixteen gentlemen who were at the King’s Head, that but one of them spoke in my favour. You know I requested that none

of them would give an opinion at that time, and gave my reasons for it; but as by this you have endeavoured to insinuate, that they, in opinion, were all against me, I have mentioned the major part of them in the public papers, and called on you to get their authority for such an insinuation; but you find that there is not a man of them that will lend his name in your vindication. By some it may be deemed an indecent freedom to mention a gentleman's name in a public paper, without his authority for it; but I will not be prevailed on to think so, when any material transaction requires it. The King, the Ministers of State, and even the Bishops, are frequently mentioned in the public papers, and if it be in a ludicrous manner, it gives joy to every child of slander; but as I have not, for many years, mentioned any man's name in print (except in advertisements and catalogues) nor would now, if there was not both private and public occasion for it, it cannot appear that I am wantonly prone to publish any gentleman's name: and as the laws of the land, on which liberty and property are established, give every man a power to oblige any man to appear in any court



court of justice in the kingdom, to give evidence of every thing within the compass of his knowledge concerning his suit; sure no man will take umbrage at having his name called on, when the necessity of defending a neighbour's character requires it. To support the Rectitude of your Conduct, you say, I have met with the general contempt of my acquaintance; with the enmity of some of them you mean; but they are the party you have so warmly espoused; and all who know them, are sensible that they are a cast of beings from whom no man can acquire either entertainment or improvement; and from such men, honor or contempt are pretty near equal: but I have the consolation to know that ten men of fortune, possessed of every respectable character, and equal to any ten men in this city, took umbrage at the ill treatment that was cast upon me; and, about the time that I was taken ill, came to a resolution to order Daniels, at the Fleece, to invite me to the same company, to which some of the men of honor frequented, and who had privately ordered Daniels to insult me; and as you know all the men, you cannot be unacquainted with such a resolution

lution ; if so, examine yourself, and think what you have been guilty of in thus endeavouring to make me an object of hatred, by labouring to establish an opinion, that I am despised by every one : had I met with the contempt of such men, it would have been sufficient to have convinced me, and rather than defend, I would have published my error ; but being convinced to the contrary, I had rather stand the mortal hatred of half a world of your modern men of honor, than meet with the contempt of honest sensible man of spirit ; and under such a censure I must most justly have fallen, had I omitted laying open this affair to the public. It is evident, by what they have practised on me, the injury that such a united junto, who pride themselves on raising a party of their own stamp, may do to an individual. How many men have by fraud, connivance of lawyers, and false witnesses, defended by such men and measures, been deprived of the benefit of the law, and totally ruined ; and through a load of oppression, incapacity, inability, or a terror of attempting to defend themselves, have pined away in want and obscurity ; whilst the men who so reduced them, have lived in splendor on the plunder, and triumphed in their ruin.

ruin. As low craft and pride are the principles which generally actuate such men, every success they meet with adds to their avarice and ambition, and from a vain imagination that they have parts and power to do any thing, they stick at nothing. As such men, by such actions, must declare themselves deserters from the instructors of moral and religious precepts, there is nothing but the general contempt and derision of the public can more effectually beat down an ambition of such evil consequence; therefore, every man who seriously despises such men, not only does a general service, but may be a means of working such a reformation as may by degrees prevent such practices, and deter others from falling into such evil examples; and as I have so severely experienced the injury of such a junto, I think it my indispensable duty to give this publick warning, that every honest man may discountenance and avoid such machinations.

You say, Sir, "That I villify the  
 " Mayor of Canterbury, to promote the  
 " sale of my Pamphlet." Good Sir, if  
 you engage with me, enter the list with  
 shield



shield and spear like a champion; for, from the beginning to the end of this affair, you have been pricking my backside with a Taylor's needle; you know I never pursued money in so mean a manner, and, I think, I have given a sufficient instance to the contrary in the Corporation Pamphlet, which was the useful means of shaking off abuses in many corporations in the kingdom; and though the first impression, which was 750, was sold off directly, and a demand continued for them equal to most pamphlets which have been printed, and might have continued selling to this day; yet, as the men who were principally concerned in it were then living in my neighbourhood; and as they knew I published nothing but the Truth, they confessed their crimes, and appeared sorry for their sins; and as they never attempted to defend themselves, by answering of it, no persuasion or profit could urge me to a second edition: and had the same example been pursued by you, the same instance would have followed. As to villifying a Mayor, on account of his being Mayor, I have too high a regard for every good man who, in his station, justly executes his office. Indeed

deed, I am confident, that as you was then Mayor, it gave great weight to the injury I received ; but as to the executing your office, I never entertained the least opinion that there was room for censure ; nor would I take notice of any transaction of yours that did not concern this affair, tho' *in your own words*, all your friends might know it ; but your conduct in this, has been so totally guided by the dictates of the party you espoused, that I most sincerely wish my powers were equal to my inclination, in representing your conduct in a manner so striking, that you and every honest man might feel and be sensible of the consequence of falling in with such a party—stopping such a useful prosecution, and so deeply and unjustly injuring a neighbour. As to cracking a little joke about a Mayor, why, I cannot see any great harm in it ? The Ministers of State are frequently obliged to bear it, and why may not a Mayor now and then come in for a little slice ? The citizens are at considerable expence in supporting the dignity of the Mayor and Corporation : and as it is an office of consequence, if any Jack Straw has the ambition to plume his vanity with the title of Right

G

Worshipful

Worshipful, it is not his saying, That he purchas'd the place with half a dozen barrels of strong beer, that can give him a title to make himself a Fool in his office, to the prejudice of the community; as we have a Recorder and a Town Clerk, who are each of them capable, and I believe, willing to advise a Mayor, that knows but little himself; if he, on useful occasions, submits to their advice, 'it is as much as can be desired: and I can answer for my fellow citizens, that every Mayor who gives us good services, shall have due respect and honor.

I remember about twenty years since I cast an innocent piece of mirth on about a dozen of my neighbours, and one of their wives said, She should have thought it the prettiest joke she had ever heard in her life, if her love had not been amongst them; but as they were my neighbours, I dealt equally by them; and when I am either in jest or earnest I use all men alike; but as to jesting with the higher powers, a man ought to be very cautious; therefore I generally chuse to do it between boath.  
—But as to Mayors or Magistrates of  
Canter.



Canterbury, or any where else, they have all been free from any reflections of mine for many years. Indeed, reflection is what I never was fond of; nor would I ever make my head a cartouch box for such scurrilous ammunition; if I did, there are so many fair marks, that I should be firing at some of them every day. O yes; I had like to have forgot, there's our friend Alderman Wilkes; but all the harm I have ever wished him is, that he never may have credit enough to get in debt, deceive any one, or disgrace a public office, and then he may grace a Lord Mayor's table as long as he can. As to our own dear present Worshipful, God blefs him! I cannot say but I was a little angry with him about taking Mr. Pett's Affidavit; as he had read the Pamphlet, I am sure he could find nothing in that, but what gave him the balance against me, and as he must there have discovered that Mr. Pett's deposition had been taken for me, near a year before, upon a useful occasion, his Worship might have judged, by the hand he was in, that he was led before him with a view to get an affidavit in contradiction to what I had asserted; and he was sensible the man could

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not write his own name, and seeing him under the direction of such a counsellor, he might have perceived that he was procuring an affidavit, and should have been as ardent to have rescued an honest man from such clutches, as a virtuous woman would have done, to have recovered an innocent young virgin from the possession of an old bawd. If he did not chuse to give himself the trouble of advising with the Recorder or Town Clerk, he might have consulted Mrs. Mayorefs; and if she had not been at home, he might have asked the opinion of some neighbour or neighbour's wife, any of them would have told him the impropriety of taking such an affidavit; but it is past now, and I shall take no farther notice of it; nor have I any more animosity against him, than I have against my little spaniel, Sir Teaguy Regan the seventh; and he (poor little fellow) I have often been obliged to lug his ears till his yelping has made my heart ache; but by that means I have kept him within bounds, made him a good dog, and am now very fond of him; but it is not every animal that has the good nature and sagacity that my little Regan has.

I shall

I shall now conclude my Reply to your Answer, by declaring, That I shall ever retain a firm opinion, that the entire bent of your industry in this case, was totally to serve Mr. F——s ; and as it was done by a neighbour, under *an appearance of Friendship*, it was more aggravating, than if a stranger had decoyed me into a wood, and robbed me of an hundred pounds. If you had not interfered, I should have been as invincible against these Men of Honor, as Samson was against his enemies ; but when they found it impossible to overcome him by open force, they seduced his harlot to betray him ; and when he with confidence reclined in her treacherous lap, she cut off his strength, and cried, *Sampson, the Philistines be upon thee.*

Having done at present with neighbour Gipps, I'll step a cross the way and have a little chat with neighbour Slodden.

Well neighbour, we have made but a poor jobb of this ; but, however, we may chat it over a little.

I think that there are but two characters for you to appear in ; which do you chuse ?

but

but perhaps you may like to follow the example of some strolling players, who frequently act two characters in the same farce. You say that, when I first applied to you, I told you exactly what I had lost with F—. Indeed neighbour, you might as well have dated the day of my nativity six days before my mother brought such an innocent babe into this wicked world; for till six days after, at which time I settled the account with him, I knew not myself. You allow that as to the certain right to recover my money there was not the least doubt; but the propriety of the measure was the question; I being a tradesman and a man of reputation. I cannot see that either my trade or my reputation, be they either good or bad, any way concerned the law or my motives for using of it. I applied to you as an attorney, to recover that money which you say the law gave me a right to; and that was all I either desired or expected of you. You allow that my council said, that my evidence was sufficient; and who could have thought otherwise, when my evidence was looking on him, heard him say every thing that was requisite for evidence, and saw the figures that F—s set down with his own



own hand of the money he had received and the different sums he had won: these were evidences which no man could have doubted sufficient; and if you had so represented them to your Agent, they must have been clear to him: but Mr. Newman knows, that on his insisting to see a copy of your instructions, you confessed in my hearing, that they only mentioned a private conversation. Indeed your Agent acted prudently; for on such slender information any man would have been satisfied it was not sufficient. You likewise say, Sir, that Mr. Newman told me, that fraud could not be enquired into by a bill in equity: but I say Sir, that on discovering that omission in your copy, I went to Mr. Newman, and asked him, whether I had not a right to have the bill, *marked with his nails?* and he said, that I had, and might still have my bill mended; but my cause being so much cobbled before, I thought it would scarce bear mending.

You say, "That as Mr. Newman could discover no fraud in the transaction, and advised me not to proceed in it." Indeed, I was so exasperated, that Mr. Newman

man perceived it, and in a most friendly manner told me, " He felt for me, and " wished that I could entirely forget it." He said, indeed, " That the evidence might " not be sufficient to punish him as a Gam- " bler," but never, in the least, intimated, *That he did not believe I was CHEATED*; and had you, as you promised me, consulted with him as you advanced in the suit, all this trouble might have been avoided. If you thought it imprudent to proceed, in regard to it's being made public, What can justify you in making a private treaty, and delivering it up, after it was known to every one? I suppose, you imagined, that the receiving an hundred pounds, which was my lawful right, would injure my trade and reputation. I think the Acts of Parliament appear so clear, that, for your own credit, you never more will say, " That " you stopt the Prosecution, for fear I " should have been indicted."

As to the several Passages which you *denied*; I positively assert, that they are ALL, TRUE; and I can circumstance them so far, as to tell the places and the postures we were in at the expressing of each;

each; and for your own private satisfaction, will make Affidavit of each, with some Additions, whenever you please. You know I gave up an hundred pounds, when there was nothing to bind me to it but my Word; therefore, I should scarcely give my Word, merely to discredit you, when nothing can be gained by it; and if you can find any person of reputation, who will declare, That I ever unjustly said any thing to the prejudice of either man or woman, I will publish it myself, and allow it to stand as sufficient evidence, to invalidate every thing I have said against Alderman Gipps and you. I am sorry, Mr. Slodden, both on your account and mine, that you were any way concerned in such an unlucky misguided affair, and wish you, for the future, every success that you merit; and hope, after this life, that the reward promised to good men, may to you be as sure,  
*As Lawyers go to Heaven!*

*To the PUBLIC.*

**T**HE following Case may convince, with what a virulent spirit, these men, on this occasion, have pursued me; and to  
H what



what a depth these miners of reputation have descended, to explore any thing that might destroy mine. When I have considered the characters of the men I have had to contend with (which are about a dozen and half) I have had the vanity to think myself a man of most singular virtue; for a Saint could not have been more persecuted by a set of infidels, than I have been by those Men of Honor; who, after raising the most invidious slanders, and searching after every thing for thirty years, and finding nothing could gain credit, they at last got hold of Mr. Seath, cabinet-maker, in Burgate-street, who furnished them with materials, from a transaction between him and me in the year 1763, and on his evidence I was brought to trial, by a jury packed for that purpose, (Mr. Abraham Rye, Clerk; and Mr. Charles Noble, Foreman) who condemned me for an Arrant Cheat. But knowing it to be an unjust Verdict, I appealed to a superior Court, by prevailing on a Gentleman in my neighbourhood, who has lately been in capital trade in London, to send up a fair State of the case, for the opinion of principal traders in London.

*STATE*

*STATE of the CASE.*

**A** CABINET-MAKER, in Canterbury, wrote to a Merchant in London for a parcel of Jamaica Mahogany, and by mistake a parcel was sent of an inferior sort, but charged at a fair market price, according to the quality ; but it was quite useless to the purchaser, he using no other sort but right Jamaica ; to avoid the expence that must fall on the Merchant in returning of it, he sold half of it to a neighbour, who used such sort of wood, and gave him credit for it, and at the same time shewed him the bill of parcels, and he had it at the same price and the same measure that was paid for it in London, and still owns that it was well worth his money : the first purchaser being a customer to the Merchant, and on account of the disappointment, made him an allowance near equal to the expence of carriage and return ; the other, on hearing that an allowance was made, thought himself entitled to half of it.

*Quere.* As the Purchaser was a customer to the Merchant, and had a right to return it ; and as ready money was paid for it on delivery in London ; and as one part

of it lay a dead stock on his hand, whether he who had the other part on credit, had a right to part of the allowance, no such thing being mentioned at the time of dealing?

*Answer to the above, received from London.*

**I**T is impossible that the said Purchaser can have any title to any part of the allowance from the Merchant in London, for two reasons :

*First.* Because he was satisfied with the price and measurement charged in London, and asked for no abatement whatever.

*Secondly.* The man to whom the wood was sent was a sufferer, being disappointed of the sort of wood he wanted, and had paid ready money for it ; and sold the half of it to this man upon credit, and the other half being upon his hands, the allowance made from London was for the interest of his money and the trouble and risk he was at in the affair.

December 29, 1773:

P. S. This must be the opinion of ninety-nine out of an hundred.

It



It is but reasonable that a jury of such men should condemn me, for what ninety-nine, out of a hundred disinterested men, approve of. Indeed, there is no person during this contest that has given so much umbrage as Mr. Cha. Noble; for he has for many years endeavoured to persuade people that he and I are intimate friends; and, on every occasion, it has been said, this friend Noble condemns him. Mr. Noble knows, that for many years, except in public company, I have had but very little conversation with him; for he is so keen a hunter after neighbours sins, and has such a public manner of clearing his conscience in confessing them, that I have always endeavoured to keep my little sins out of his reach.

As to Mr. Seath, though the transactions between us have been but few, yet they have been pretty near equal to the last compliment. About twenty years since I hired part of his timber-yard, near the Old Palace, in which grew two walnut-trees.—Several trees about that part of the estate being taken down, and one of his amongst them, which I purchased; as soon as it was measured, I told him he was welcome to it at the price I paid for it. Some time after,

the

the rest of the walnuts trees about that estate were sold to me ; on which Mr. Seath requested I would not buy that which stood in his yard. I directly applied to the steward, and requested to decline buying that tree, and told him how useful it was to the tenant, being a good shade in his yard ; but he on viewing of it observed, that it was a lofty young thriving tree, and that the limbs of it bore hard against a high wall, which he thought had already received damage by it, and determined then to have it down, lest it should be neglected till it did further damage. It was but of fourteen shillings value, therefore could be no objection to tempt me, either to displease or prejudice a neighbour ; but as soon as it was taken down, Mr. Seath turned my stuff out of the yard, and prevented me the use of it, without an hour's notice, tho' I had been a tenant to him some years, which gave me a just action against him ; and had a man in different circumstances served me so, I should have convinced him of his error, but was no more offended with Mr. Seath than a tender nurse would have been at receiving a slap on the face from the babe in her lap. After this, he complained that one  
of

of the limbs of the tree had fallen upon and damaged his thatch'd lodge. I desired him to get it repaired, and I would pay for it. I declare, I think the damage sustained might have been repaired for five shillings; but he had such repairs done as came to twenty-five, which I paid without the least scruple, being determined to avoid any contention with one of the same trade. Mr. Seath not content, insinuated that I had done him great injustice about a walnut-tree, and with that force which frequently prevails from a few words and a demure countenance, it gained credit, that I had used poor Seath barbarously, something about a walnut-tree.

As the affair which the state of the case relates to was above ten years since, I was a little surprized to see such a thing appear now; but the Party being distressed for something, he appeared to endeavour to support them. Mr. Seath, in a long affidavit on the occasion, owns that he did not think the wood dear, or expect any allowance, and not knowing that I had any at that time, paid for it. He swears I told him that I was to have three months credit for it: I swear that Mr. Cannon, who was  
then



then an Hoyman here, and is now in Dover, gave me a receipt for the money when he returned, which was before I saw Mr. Seath. As I sold it to him on the terms I bought it, it might have answered some end, if it had been on credit, to have said I had paid ready money for it, for then he might have thought it the better bargain. He swears that Mr. Robinson told him, that I had four guineas allowed. As Mr. Robinson is in being, except he gets his affidavit, I shall assert it was but two, which was a very bare allowance for a disappointment in 25l. worth of a cumbersome useless article. Mr. Seath in his affidavit, does not attempt to say he had any claim to a part of the money; but on hearing many months after that I had an allowance, he expected part of it.

Indeed, he swore to so many things, so distant from any thing that has a reasonable appearance to have passed in such a transaction, and so distant from my recollection, as shall make me ever cautious of swearing to any thing that happened ten years past; but he was then in the hands of that Evil Counsellor, who was procuring an Affidavit: and, I fear, might say after Mother Eve, *the Serpent beguiled me, and I did eat*

T H E E N D.



